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JUN 16 2009

## CENTRAL LOCATION

## FACSIMILE COVER SHEET

Examiner: ALEXANDER, Lyle

Group: 1797

Date: June 16, 2009

Client Code: 1159

Facsimile No.: 571-273-8300

From: James M. Smith, Esq.

Subject: Notice of Hearing Confirmation Required Within Twenty-One Days

Appeal No.: 2009-005697

Docket No.: 1159.1004-006

Applicant: Steven A. Bogen, et al

Application No.: 10/823,368

Filing Date: April 12, 2004

Number of pages including this cover sheet: 2

Please confirm receipt of facsimile: Yes ☒ No ☐

Comments:

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JUN 16 2009

**Maria Cedroni**

**From:** Anne Hornshøj [anne.hornshoej@dako.com]  
**Sent:** Tuesday, June 16, 2009 4 29 AM  
**To:** Maria Cedroni  
**Cc:** Kim Adelhorst; Jim Smith  
**Subject:** RE: Notice of Hearing for U.S. Application No. 10/823,368 (Your Ref. No. P 106 US 08) (Our Docket No. 1159.1004-006)

Dear Maria  
We have considered this matter and have decided that we wish you to attend the Oral Hearing on 21 July 2009 – therefore, kindly inform the Board of this decision by 18 June 2009.  
*Kindly acknowledge receipt of these instructions by return*  
Best regards  
Anne

**From:** Maria Cedroni [mailto:Maria.Cedroni@hbsr.com]  
**Sent:** 11. juni 2009 23:52  
**To:** Anne Hornshøj  
**Cc:** Kim Adelhorst; Jim Smith  
**Subject:** Notice of Hearing for U.S. Application No. 10/823,368 (Your Ref. No. P 106 US 08) (Our Docket No. 1159.1004-006)

Dear Anne,  
Attached please find the Notice of Hearing received in the above-referenced application. As indicated in the notice, the hearing will be held on July 21, 2009 at 1pm.

We are required to inform the Board if we are going to attend the hearing by June 18, 2009. Accordingly, please let us know if you want us to attend the Oral Hearing before that date or if you would prefer to rely solely on the briefs that we have submitted in this appeal.

We estimate that the cost for attending the hearing will be between \$6,000 - \$9,000 US.

Best Regards,  
Maria

HAMILTON  
BROOK SMITH  
REYNOLDS  
Intellectual Property Law

Maria L. Cedroni | Associate

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